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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/014,453 | 12/14/2001 | Takahiro Hiraoka | 740145-218 | 1042 |
| 22204 | 7590 | 07/01/2005 | EXAMINER | |
| NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128 | | | GIBBS, HEATHER D | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2622 | |

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/014,453 | HIRAOKA ET AL. |
| | Examiner | Art Unit |
| | Heather D. Gibbs | 2622 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 14 December 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 and 2 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 04 December 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>07/12/02/03/02/05</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by admitted prior art.

Applicant discloses in the background section, an Image reader which comprises: a lighting part having a fluorescent lamp which produces pulse emission by dielectric barrier discharge, and an inverter circuit which feeds the fluorescent lamp (Ref 2; Fig 5); a CCD line sensor which continuously receives reflection light reflected by a manuscript and emitted by the fluorescent lamp, time-divided (Ref 4); and a controller which resets a divided image which is recognized by the CCD line sensor and which controls the timing of the start of recognition of a next divided image and moreover sends signals about this timing to the lighting part (Ref 6. Paragraph 0004-0007); wherein the controller, within a given time in which the CCD line sensor recognizes a divided image of the manuscript, sends a flashing signal to the inverter which corresponds to a frequency of pulse emission of the fluorescent lamp in order to keep

luminous quantities of the fluorescent lamp at a given value, wherein the lighting part directly drives the flashing signal of the inverter circuit, the fluorescent lamp producing a pulse emission with a frequency which corresponds directly to the frequency of the flashing signal within one period for image recognition by the CCD line sensor (Paragraph 0006; 0010-0011).

Regarding claim 2, Applicant admits wherein the frequency of the flashing signal is controllable as a light control of the fluorescent lamp (Paragraph 0006-0007).

3. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Sato et al (US 6,666,545).

Sato discloses an Image reader which comprises: a lighting part having a fluorescent lamp which produces pulse emission by dielectric barrier discharge, and an inverter circuit which feeds the fluorescent lamp (Ref 1; Col 7 Lines 54-64); a CCD line sensor which continuously receives reflection light reflected by a manuscript and emitted by the fluorescent lamp, time-divided (Col 8 Lines 5-21); and a controller which resets a divided image which is recognized by the CCD line sensor and which controls the timing of the start of recognition of a next divided image and moreover sends signals about this timing to the lighting part (Col 8 Lines 47-62) ; wherein the controller, within a given time in which the CCD line sensor recognizes a divided image of the manuscript, sends a flashing signal to the inverter which corresponds to a frequency of pulse emission of the fluorescent lamp in order to keep luminous quantities of the fluorescent lamp at a given value, wherein the lighting part directly drives the flashing signal of the

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inverter circuit, the fluorescent lamp producing a pulse emission with a frequency which corresponds directly to the frequency of the flashing signal within one period for image recognition by the CCD line sensor (Col 9 Lines 5-40).

Regarding claim 2, Applicant admits wherein the frequency of the flashing signal is controllable as a light control of the fluorescent lamp (Col 7 Lines 64-67).

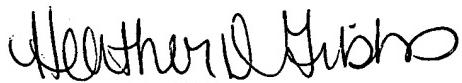
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D. Gibbs whose telephone number is 571-272-7404. The examiner can normally be reached on M-Thu 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Heather D Gibbs
Examiner
Art Unit 2622

hdg


EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2000